

File

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91ST CONGRESS
2^D SESSION

H. R. 19590

[Report No. 91-1392]

IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 1970

Read twice and referred to the Committee on Appropriations

DECEMBER 3, 1970

Reported by Mr. ELLENDER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled.*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the fiscal
5 year ending June 30, 1971, for military functions admin-
6 istered by the Department of Defense, and for other pur-
7 poses, namely:

II

1

TITLE I

2

MILITARY PERSONNEL

3

MILITARY PERSONNEL, ARMY

4 For pay, allowances, individual clothing, subsistence,
5 interest on deposits, gratuities, permanent change of station
6 travel (including all expenses thereof for organizational
7 movements), and expenses of temporary duty travel between
8 permanent duty stations, for members of the Army on
9 active duty (except members of reserve components pro-
10 vided for elsewhere) ; ~~\$7,822,450,000~~ \$7,861,750,000.

11

MILITARY PERSONNEL, NAVY

12 For pay, allowances, individual clothing, subsistence, in-
13 terest on deposits, gratuities, permanent change of station
14 travel (including all expenses thereof for organizational
15 movements), and expenses of temporary duty travel between
16 permanent duty stations, for members of the Navy on active
17 duty (except members of the Reserve provided for else-
18 where), midshipmen, and aviation cadets; ~~\$4,360,100,000~~
19 \$4,377,100,000.

20

MILITARY PERSONNEL, MARINE CORPS

21 For pay, allowances, individual clothing, subsistence, in-
22 terest on deposits, gratuities, permanent change of station
23 travel (including all expenses thereof for organizational
24 movements), and expenses of temporary duty travel between
25 permanent duty stations, for members of the Marine Corps on

1 active duty (except members of the Reserve provided for
2 elsewhere) ; ~~\$1,422,700,000~~ \$1,430,600,000.

3 **MILITARY PERSONNEL, AIR FORCE**

4 For pay, allowances, individual clothing, subsistence,
5 interest on deposits, gratuities, permanent change of station
6 travel (including all expenses thereof for organizational
7 movements), and expenses of temporary duty travel between
8 permanent duty stations, for members of the Air Force on
9 active duty (except members of reserve components provided
10 for elsewhere), cadets, and aviation cadets; ~~\$5,973,350,000~~
11 \$6,002,425,000.

12 **RESERVE PERSONNEL, ARMY**

13 For pay, allowances, clothing, subsistence, gratuities.
14 travel, and related expenses for personnel of the Army
15 Reserve on active duty under sections 265, 3019, and 3033
16 of title 10, United States Code, or while undergoing reserve
17 training or while performing drills or equivalent duty, and
18 for members of the Reserve Officers' Training Corps. as
19 authorized by law; \$334,750,000.

20 **RESERVE PERSONNEL, NAVY**

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Naval Re-
23 serve on active duty under section 265 of title 10, United
24 States Code, or while undergoing reserve training, or while

1 performing drills or equivalent duty, and for members of the
2 Reserve Officers' Training Corps, as authorized by law;
3 \$142,100,000.

4 RESERVE PERSONNEL, MARINE CORPS

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Marine
7 Corps Reserve and the Marine Corps platoon leaders class
8 on active duty under section 265 of title 10, United States
9 Code, or while undergoing reserve training, or while per-
10 forming drills or equivalent duty, as authorized by law;
11 \$52,050,000.

12 RESERVE PERSONNEL, AIR FORCE

13 For pay, allowances, clothing, subsistence, gratuities,
14 travel, and related expenses for personnel of the Air Force
15 Reserve on active duty under sections 265, 8019, and 8033
16 of title 10, United States Code, or while undergoing reserve
17 training, or while performing drills or equivalent duty, and
18 for members of the Air Reserve Officers' Training Corps, as
19 authorized by law; ~~\$86,200,000~~ \$84,200,000.

20 NATIONAL GUARD PERSONNEL, ARMY

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Army
23 National Guard while on duty under sections 265, 3033, or
24 3496 of title 10 or section 708 of title 32, United States

1 Code, or while undergoing training or while performing drills
2 or equivalent duty, as authorized by law; \$387,100,000:
3 *Provided*, That obligations may be incurred under this appro-
4 priation without regard to section 107 of title 32, United
5 States Code.

6 NATIONAL GUARD PERSONNEL, AIR FORCE

7 For pay, allowances, clothing, subsistence, gratuities,
8 travel, and related expenses for personnel of the Air National
9 Guard on duty under sections 265, 8033, or 8496 of title
10 10 or section 708 of title 32, United States Code, or while
11 undergoing training or while performing drills or equivalent
12 duty, as authorized by law; ~~\$108,500,000~~ \$106,500,000:
13 *Provided*, That obligations may be incurred under this ap-
14 propriation without regard to section 107 of title 32, United
15 States Code.

16 TITLE II

17 RETIRED MILITARY PERSONNEL

18 RETIRED PAY, DEFENSE

19 For retired pay and retirement pay, as authorized by
20 law, of military personnel on the retired lists of the Army,
21 Navy, Marine Corps, and the Air Force, including the re-
22 serve components thereof, retainer pay for personnel of the
23 inactive Fleet Reserve, and payments under chapter 73 of
24 title 10, United States Code; \$3,194,000,000.

TITLE III

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; recruiting expenses; transportation services; communications services; maps and similar data for military purposes; military surveys and engineering planning; repair of facilities; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; and not to exceed ~~\$4,000,000~~, \$3,634,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; ~~\$6,269,011,000~~ \$6,228,687,000, of which not less

1 than \$220,000,000 shall be available only for the main-
2 tenance of real property facilities.

3 OPERATION AND MAINTENANCE, NAVY

4 For expenses, not otherwise provided for, necessary for
5 the operation and maintenance of the Navy and the Marine
6 Corps, including aircraft and vessels; modification of air-
7 craft, missiles, missile systems, and other ordnance; design
8 of vessels; training and education of members of the Navy;
9 administration; procurement of military personnel; hire of
10 passenger motor vehicles; welfare and recreation; medals,
11 awards, emblems, and other insignia; transportation of
12 things (including transportation of household effects of civil-
13 ian employees) ; industrial mobilization; medical and dental
14 care; care of the dead; charter and hire of vessels; relief of
15 vessels in distress; maritime salvage services; military com-
16 munications facilities on merchant vessels; annuity premiums
17 and retirement benefits for civilian members of teaching serv-
18 ices; tuition, allowances, and fees incident to training of mil-
19 itary personnel at civilian institutions; repair of facilities;
20 departmental salaries; conduct of schoolrooms, service clubs,
21 chapels, and other instructional, entertainment, and welfare
22 expenses for the enlisted men; procurement of services, spe-
23 cial clothing, supplies, and equipment; installation of equip-
24 ment in public or private plants; exploration, prospecting,
25 conservation, development, use, and operation of the naval

1 petroleum and oil shale reserves, as authorized by law; and
2 not to exceed \$2,826,000 for emergency and extraordinary
3 expenses, as authorized by section 7202 of title 10, United
4 States Code, to be expended on the approval or authority
5 of the Secretary and his determination shall be final and con-
6 clusive upon the accounting officers of the Government;
7 ~~\$4,731,910,000~~ \$4,685,410,000, of which not less than
8 \$126,891,000 shall be available only for maintenance of real
9 property facilities, and not to exceed \$1,700,000 may be
10 transferred to the appropriation for "Salaries and expenses",
11 Environmental Science Services Administration, Department
12 of Commerce, for the current fiscal year for the operation of
13 ocean weather stations.

14 OPERATION AND MAINTENANCE, MARINE CORPS

15 For expenses, necessary for the operation and mainte-
16 nance of the Marine Corps including equipment and facilities;
17 procurement of military personnel; training and education of
18 regular and reserve personnel, including tuition and other
19 costs incurred at civilian schools; welfare and recreation; con-
20 duct of schoolrooms, service clubs, chapels, and other instruc-
21 tional, entertainment, and welfare expenses for the enlisted
22 men; procurement and manufacture of military supplies,
23 equipment, and clothing; hire of passenger motor vehicles;
24 transportation of things; medals, awards, emblems, and other
25 insignia; operation of station hospitals, dispensaries and den-

1 tal clinics; and departmental salaries; ~~\$399,943,000~~ \$402,-
2 743,000, of which not less than \$31,016,000 shall be avail-
3 able only for the maintenance of real property facilities.

4 OPERATION AND MAINTENANCE, AIR FORCE

5 For expenses, not otherwise provided for, necessary for
6 the operation, maintenance, and administration of the Air
7 Force, including the Air Force Reserve and the Air Re-
8 serve Officers' Training Corps; operation, maintenance, and
9 modification of aircraft and missiles; transportation of things;
10 repair and maintenance of facilities; field printing plants;
11 hire of passenger motor vehicles; recruiting advertising ex-
12 penses; training and instruction of military personnel of the
13 Air Force, including tuition and related expenses; pay, al-
14 lowances, and travel expenses of contract surgeons; repair
15 of private property and other necessary expenses of combat
16 maneuvers; care of the dead; chaplain and other welfare
17 and morale supplies and equipment; conduct of schoolrooms,
18 service clubs, chapels, and other instructional, entertainment,
19 and welfare expenses for enlisted men and patients not other-
20 wise provided for; awards and decorations; industrial mobili-
21 zation, including maintenance of reserve plants and equip-
22 ment and procurement planning; special services by contract
23 or otherwise; and not to exceed \$3,134,000 for emergencies
24 and extraordinary expenses, to be expended on the approval

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1 or authority of the Secretary of the Air Force, and pay-
2 ments may be made on his certificate of necessity for con-
3 fidential military purposes, and his determination shall be
4 final and conclusive upon the accounting officers of the
5 Government; ~~\$6,167,136,000~~ \$6,093,236,000, of which not
6 less than \$250,000,000 shall be available only for the mainte-
7 nance of real property facilities.

8 OPERATION AND MAINTENANCE, DEFENSE AGENCIES

9 For expenses, not otherwise provided for, necessary for
10 the operation and maintenance of activities and agencies of
11 the Department of Defense (other than the military depart-
12 ments and the Office of Civil Defense), including administra-
13 tion; hire of passenger motor vehicles; welfare and recreation;
14 awards and decorations; travel expenses, including expenses
15 of temporary duty travel of military personnel; trans-
16 portation of things (including transportation of household
17 effects of civilian employees); industrial mobilization; care
18 of the dead; tuition and fees incident to the training of mili-
19 tary personnel at civilian institutions; repair of facilities;
20 departmental salaries; procurement of services, special cloth-
21 ing, supplies, and equipment; field printing plants; informa-
22 tion and educational services for the Armed Forces; com-
23 munications services; and not to exceed \$4,280,000 for
24 emergency and extraordinary expenses, to be expended on

1 the approval or authority of the Secretary of Defense for
2 such purposes as he deems appropriate, and his determina-
3 tion thereon shall be final and conclusive upon the accounting
4 officers of the Government; \$1,125,750,000, of which not
5 less than \$14,000,000 shall be available only for the main-
6 tenance of real property facilities.

7 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

8 For expenses of training, organizing, and administering
9 the Army National Guard, including maintenance, operation,
10 and repairs to structures and facilities; hire of passenger
11 motor vehicles; personal services in the National Guard
12 Bureau; travel expenses (other than mileage), as authorized
13 by law for Army personnel on active duty, for Army
14 National Guard division, regimental, and battalion com-
15 manders while inspecting units in compliance with National
16 Guard regulations when specifically authorized by the Chief,
17 National Guard Bureau; supplying and equipping the Army
18 National Guard of the several States, Commonwealth of
19 Puerto Rico, and the District of Columbia, as authorized
20 by law; and expenses of repair, modification, maintenance,
21 and issue of supplies and equipment (including aircraft);
22 \$287,400,000, of which not less than \$1,900,000 shall be
23 available only for the maintenance of real property facilities:
24 *Provided*, That obligations may be incurred under this appro-

1 priation without regard to section 107 of title 32, United
2 States Code.

3 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

4 For operation and maintenance of the Air National
5 Guard, including medical and hospital treatment and re-
6 lated expenses; maintenance, operation, repair, and other
7 necessary expenses of facilities for the training and admin-
8 istration of the Air National Guard, including repair of
9 facilities, maintenance, operation, and modification of air-
10 craft; transportation of things; hire of passenger motor
11 vehicles; supplies, materials, and equipment, as authorized
12 by law for the Air National Guard of the several States,
13 Commonwealth of Puerto Rico, and the District of Co-
14 lumbia; and expenses incident to the maintenance and use
15 of supplies, materials, and equipment, including such as
16 may be furnished from stocks under the control of agencies
17 of the Department of Defense; travel expenses (other than
18 mileage) on the same basis as authorized by law for Air
19 National Guard personnel on active Federal duty, of Air
20 National Guard commanders while inspecting units in com-
21 pliance with National Guard regulations when specifically
22 authorized by the Chief, National Guard Bureau; ~~\$337,600,-~~
23 ~~000~~ \$343,600,000, of which not less than \$2,500,000 shall
24 be available only for the maintenance of real property facili-
25 ties: *Provided*, That obligations may be incurred under this

1 appropriation without regard to section 107 of title 32,
2 United States Code.

3 NATIONAL BOARD FOR THE PROMOTION OF RIFLE
4 PRACTICE, ARMY

5 For the necessary expenses of construction, equipment,
6 and maintenance of rifle ranges, the instruction of citizens in
7 marksmanship, and promotion of rifle practice, in accordance
8 with law, including travel of rifle teams, military personnel,
9 and individuals attending regional, national, and international
10 competitions, and not to exceed \$10,000 for incidental ex-
11 penses of the National Board; ~~\$100,000~~ \$65,000: *Provided,*
12 That travel expenses of civilian members of the National
13 Board shall be paid in accordance with the Standardized
14 Government Travel Regulations, as amended.

15 CLAIMS, DEFENSE

16 For payment, not otherwise provided for, of claims au-
17 thorized by law to be paid by the Department of Defense
18 (except for civil functions), including claims for damages
19 arising under training contracts with carriers, and repayment
20 of amounts determined by the Secretary concerned, or offi-
21 cers designated by him, to have been erroneously collected
22 from military and civilian personnel of the Department of
23 Defense, or from States, territories, or the District of Colum-
24 bia, or members of National Guard units thereof; \$39,000,-
25 000.

1 CONTINGENCIES, DEFENSE

2 For emergencies and extraordinary expenses arising in
3 the Department of Defense, to be expended on the approval
4 or authority of the Secretary of Defense and such expenses
5 may be accounted for solely on his certificate that the expend-
6 itures were necessary for confidential military purposes;
7 \$5,000,000: *Provided*, That a report of disbursements under
8 this item of appropriation shall be made quarterly to
9 Congress.

10 COURT OF MILITARY APPEALS, DEFENSE

11 For salaries and expenses necessary for the United
12 States Court of Military Appeals; \$780,000.

13 TITLE IV—PROCUREMENT

14 PROCUREMENT OF EQUIPMENT AND MISSILES, ARMY

15 For expenses necessary for the procurement, manufac-
16 ture, and modification of missiles, armament, ammunition,
17 equipment, vehicles, vessels, and aircraft for the Army and
18 the Reserve Officers' Training Corps; purchase of not to
19 exceed five thousand two hundred and fifty-four passenger
20 motor vehicles for replacement only; expenses which in the
21 discretion of the Secretary of the Army are necessary in pro-
22 viding facilities for production of equipment and supplies for
23 national defense purposes, including construction, and the
24 furnishing of Government-owned facilities and equipment at
25 privately owned plants; and ammunition for military salutes

1 at institutions to which issue of weapons for salutes is author-
2 ized; ~~\$2,933,100,000~~ *\$2,930,000,000, and in addition,*
3 *\$50,000,000 shall be derived by transfer from the Army*
4 *stock fund, to remain available for obligation until June 30,*
5 ~~1973~~ *until expended: Provided, That none of the funds pro-*
6 *vided in this Act shall be available for the maintenance of*
7 *more than two active production sources for the supplying of*
8 *M-16 rifles or for the payment of any price differential for*
9 *M-16 rifles resulting from the maintenance of more than two*
10 *active production sources.*

11 PROCUREMENT OF AIRCRAFT AND MISSILES, NAVY

12 For construction, procurement, production, modification,
13 and modernization of aircraft, missiles, equipment, including
14 ordnance, spare parts, and accessories therefor; specialized
15 equipment; expansion of public and private plants, including
16 the land necessary therefor, and such lands, and interests
17 therein, may be acquired, and construction prosecuted there-
18 on prior to approval of title by the Attorney General as re-
19 quired by section 355, Revised Statutes, as amended; and
20 procurement and installation of equipment, appliances, and
21 machine tools in public or private plants; ~~\$3,005,800,000~~
22 *\$3,127,900,000, and in addition, \$100,000,000 shall be*
23 *derived by transfer from the Defense stock fund, to remain*
24 *available for obligation until June 30, 1973 until expended.*

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public or private plants; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; ~~\$2,694,400,000~~ \$2,276,900,000, to remain available ~~for obligation until June 30, 1975~~ until expended: *Provided*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign shipyards for the construction of major components of the hull or superstructure of such vessel: *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment, and materials not otherwise provided for, Navy ordnance and ammunition (except ordnance for new

1 aircraft, new ships, and ships authorized for conversion),
2 purchase of not to exceed one thousand two hundred and
3 sixty-two passenger motor vehicles (including eight medium
4 sedans at not to exceed \$3,000) for replacement only; alter-
5 ation of vessels and necessary design therefor; expansion
6 of public and private plants, including the land necessary
7 therefor, and such lands, and interests therein may be ac-
8 quired, and construction prosecuted thereon prior to approval
9 of title by the Attorney General as required by section 355,
10 Revised Statutes, as amended; and procurement and installa-
11 tion of equipment, appliances, and machine tools in public
12 or private plants; ~~\$1,443,400,000~~ \$1,487,300,000, to re-
13 main available for obligation until June 30, 1973 until ex-
14 pended.

15 PROCUREMENT, MARINE CORPS

16 For expenses necessary for the procurement, manufac-
17 ture, and modification of missiles, armament, ammunition,
18 military equipment, spare parts, and accessories therefor;
19 plant equipment, appliances, and machine tools, and instal-
20 lation thereof in public or private plants, and vehicles for the
21 Marine Corps, including purchase of not to exceed three
22 hundred and fifty-seven passenger motor vehicles for replace-
23 ment only; ~~\$171,700,000~~ \$175,900,000, to remain available
24 for obligation until June 30, 1973 until expended.

1 AIRCRAFT PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of air-
3 craft and equipment, including armor and armament, spe-
4 cialized ground handling equipment, and training devices,
5 spare parts, and accessories therefor; specialized equipment;
6 expansion of public and private plants, Government-owned
7 equipment and installation thereof in such plants, erection
8 of structures, and acquisition of land without regard to sec-
9 tion 9774 of title 10, United States Code, for the foregoing
10 purposes, and such land, and interests therein, may be ac-
11 quired and construction prosecuted thereon prior to the
12 approval of title by the Attorney General as required by
13 section 355, Revised Statutes, as amended; reserve plant
14 and equipment layaway; and other expenses necessary for
15 the foregoing purposes, including rents and transportation
16 of things; ~~\$3,203,000,000~~ \$3,201,300,000, to remain avail-
17 able ~~for obligation until June 30, 1973~~ *until expended*.

18 MISSILE PROCUREMENT, AIR FORCE

19 For construction, procurement, and modification of mis-
20 siles, rockets, and related equipment, including spare parts
21 and accessories therefor, ground handling equipment, and
22 training devices; expansion of public and private plants, Gov-
23 ernment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land without
25 regard to section 9774 of title 10, United States Code, for
26 the foregoing purposes, and such land, and interests therein,

1 may be acquired and construction prosecuted thereon prior
2 to the approval of title by the Attorney General as required
3 by section 355, Revised Statutes, as amended; reserve plant
4 and equipment layaway; and other expenses necessary for the
5 foregoing purposes, including rents and transportation of
6 things; ~~\$1,372,300,000~~ \$1,380,400,000, and in addition,
7 \$50,000,000 shall be derived by transfer from the Defense
8 stock fund, to remain available for obligation until June 30,
9 ~~1973~~ until expended.

10 OTHER PROCUREMENT, AIR FORCE

11 For procurement and modification of equipment (includ-
12 ing ground guidance and electronic control equipment, and
13 ground electronic and communication equipment), and sup-
14 plies, materials, and spare parts therefor, not otherwise pro-
15 vided for; the purchase of not to exceed one thousand two
16 hundred and eighty-one passenger motor vehicles for re-
17 placement only; and expansion of public and private plants,
18 Government-owned equipment and installation thereof in such
19 plants, erection of structures, and acquisition of land without
20 regard to section 9774 of title 10, United States Code, for
21 the foregoing purposes, and such land, and interests therein,
22 may be acquired and construction prosecuted thereon prior
23 to the approval of title by the Attorney General as required
24 by section 355, Revised Statutes, as amended; ~~\$1,381,200,-~~
25 ~~000~~ \$1,345,100,000, to remain available for obligation until
26 June 30, ~~1973~~ until expended.

1 PROCUREMENT, DEFENSE AGENCIES

2 For expenses of activities and agencies of the Department
3 of Defense (other than the military departments and the
4 Office of Civil Defense) necessary for procurement, produc-
5 tion, and modification of equipment, supplies, materials, and
6 spare parts therefor, not otherwise provided for; purchase of
7 one hundred and twenty-nine passenger motor vehicles for
8 replacement only; expansion of public and private plants,
9 equipment and installation thereof in such plants, erection
10 of structures, and acquisition of land for the foregoing pur-
11 poses, and such land and interests therein may be ac-
12 quired and construction prosecuted thereon prior to the ap-
13 proval of title by the Attorney General as required by section
14 355, Revised Statutes, as amended; ~~\$38,910,000~~ \$45,310,-
15 000, to remain available for obligation until June 30, 1973
16 until expended.

17 TITLE V--RESEARCH, DEVELOPMENT, TEST,

18 AND EVALUATION

19 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,

20 ARMY

21 For expenses necessary for basic and applied scientific
22 research, development, test, and evaluation, including main-
23 tenance, rehabilitation, lease, and operation of facilities and
24 equipment, as authorized by law; ~~\$1,608,500,000~~ \$1,589,-
25 700,000, to remain available for obligation until June 30,

21

1 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
2 NAVY

3 For expenses necessary for basic and applied scientific
4 research, development, test, and evaluation, including mainte-
5 nance, rehabilitation, lease, and operation of facilities and
6 equipment, as authorized by law; ~~\$2,156,200,000~~ \$2,130,-
7 500,000, to remain available for obligation until June 30,
8 1972 until expended.

9 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
10 AIR FORCE

11 For expenses necessary for basic and applied scientific
12 research, development, test, and evaluation, including main-
13 tenance, rehabilitation, lease, and operation of facilities and
14 equipment, as authorized by law; ~~\$2,701,100,000~~ \$2,744,-
15 800,000, to remain available for obligation until June 30,
16 1972 until expended.

17 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
18 DEFENSE AGENCIES

19 For expenses of activities and agencies of the Depart-
20 ment of Defense (other than the military departments and the
21 Office of Civil Defense), necessary for basic and applied scien-
22 tific research, development, test, and evaluation; advanced re-
23 search projects as may be designated and determined by the
24 Secretary of Defense, pursuant to law; maintenance, rehabili-
25 tation, lease, and operation of facilities and equipment, as
26 authorized by law, to remain available for obligation until

1 ~~June 30, 1972~~ until expended; ~~\$438,900,000~~ \$445,100,000:
 2 *Provided*, That such amounts as may be determined by the
 3 Secretary of Defense to have been made available in other
 4 appropriations available to the Department of Defense during
 5 the current fiscal year for programs related to advanced re-
 6 search may be transferred to and merged with this appropri-
 7 ation to be available for the same purposes and time period:
 8 *Provided further*, That such amounts of this appropriation as
 9 may be determined by the Secretary of Defense may be
 10 transferred to carry out the purposes of advanced research
 11 to those appropriations for military functions under the De-
 12 partment of Defense which are being utilized for related
 13 programs, to be merged with and to be available for the
 14 same time period as the appropriation to which transferred.

15 EMERGENCY FUND, DEFENSE

16 For transfer by the Secretary of Defense, with the
 17 approval of the Office of Management and Budget, to any
 18 appropriation for military functions under the Department of
 19 Defense available for research, development, test, and evalua-
 20 tion, or procurement or production related thereto, to be
 21 merged with and to be available for the same purposes, and
 22 for the same time period, as the appropriation to which trans-
 23 ferred; \$50,000,000, ~~and, in addition, not to exceed~~
 24 ~~\$150,000,000, to be used upon determination by the Secre-~~

1 tary of Defense that such funds can be wisely, profitably,
2 and practically used in the interest of national defense and to
3 be derived by transfer from such appropriations available to
4 the Department of Defense for obligation during the current
5 fiscal year as the Secretary of Defense may designate: *Pro-*
6 *vided*, That any appropriations transferred shall not exceed
7 7 per centum of the appropriations from which transferred.

8 TITLE VI

9 COMBAT READINESS, SOUTH VIETNAMESE

10 FORCES, DEFENSE

11 For transfer, by the Secretary of Defense, upon determi-
12 nation by the President that such action is necessary to fur-
13 ther improve the combat readiness of the forces of the Repub-
14 lic of South Vietnam, to any appropriation available to the
15 Department of Defense for military functions to be merged
16 with the appropriation to which transferred, \$358,500,000
17 \$300,000,000, to remain available for the period of availabil-
18 ity of the appropriation to which transferred, and in addition
19 \$150,000,000 to be derived by transfer from such appropria-
20 tions available to the Department of Defense for obligation in
21 the current fiscal year as the Secretary of Defense, with the
22 approval of the President, may designate: *Provided*, That
23 the Secretary of Defense shall notify the Congress promptly
24 of all transfers made pursuant to this authority.

1 TITLE VII

2 SPECIAL FOREIGN CURRENCY PROGRAM

3 For payment in foreign currencies which the Treasury
4 Department determines to be excess to the normal require-
5 ments of the United States, for expenses of carrying out pro-
6 grams of the Department of Defense, as authorized by law,
7 \$2,621,000, to remain available for obligation until June 30,
8 ~~1973~~ *until expended: Provided, That this appropriation shall*
9 *be available, in addition to other appropriations to such*
10 *Department, for payments in the foregoing currencies.*

11 TITLE VIII

12 GENERAL PROVISIONS

13 SEC. 801. No part of any appropriation contained in
14 this Act shall be used for publicity or propaganda purposes
15 not authorized by the Congress.

16 SEC. 802. During the current fiscal year, the Secretary
17 of Defense and the Secretaries of the Army, Navy, and Air
18 Force, respectively, if they should deem it advantageous to
19 the national defense, and if in their opinions the existing
20 facilities of the Department of Defense are inadequate, are
21 authorized to procure services in accordance with 5 U.S.C.
22 3109, under regulations prescribed by the Secretary of
23 Defense, and to pay in connection therewith travel expenses
24 of individuals, including actual transportation and per diem
25 in lieu of subsistence while traveling from their homes or

1 places of business to official duty station and return as may
2 be authorized by law: *Provided*, That such contracts may be
3 renewed annually.

4 SEC. 803. During the current fiscal year, provisions of
5 law prohibiting the payment of compensation to, or employ-
6 ment of, any person not a citizen of the United States shall
7 not apply to personnel of the Department of Defense.

8 SEC. 804. Appropriations contained in this Act shall be
9 available for insurance of official motor vehicles in foreign
10 countries, when required by laws of such countries; pay-
11 ments in advance of expenses determined by the investi-
12 gating officer to be necessary and in accord with local cus-
13 tom for conducting investigations in foreign countries inci-
14 dent to matters relating to the activities of the department
15 concerned; reimbursement of General Services Administra-
16 tion for security guard services for protection of confidential
17 files; reimbursement of the Federal Bureau of Investigation
18 for expenses in connection with investigation of defense con-
19 tractor personnel; and all necessary expenses, at the seat of
20 government of the United States of America or elsewhere,
21 in connection with communication and other services and
22 supplies as may be necessary to carry out the purposes of
23 this Act.

24 SEC. 805. Any appropriation available to the Army,
25 Navy, or the Air Force may, under such regulations as the

1 Secretary concerned may prescribe, be used for expenses
2 incident to the maintenance, pay, and allowances of prisoners
3 of war, other persons in Army, Navy, or Air Force custody
4 whose status is determined by the Secretary concerned to be
5 similar to prisoners of war, and persons detained in such
6 custody pursuant to Presidential proclamation.

7 SEC. 806. Appropriations available to the Department
8 of Defense for the current fiscal year for maintenance or
9 construction shall be available for acquisition of land or
10 interest therein as authorized by section 2672 or 2675 of
11 title 10, United States Code.

12 SEC. 807. Appropriations for the Department of De-
13 fense for the current fiscal year shall be available, (a)
14 except as authorized by the Act of September 30, 1950 (20
15 U.S.C. 236-244), for primary and secondary schooling for
16 minor dependents of military and civilian personnel of the
17 Department of Defense residing on military or naval installa-
18 tions or stationed in foreign countries, as authorized for the
19 Navy by section 7204 of title 10, United States Code, in
20 amounts not exceeding ~~\$134,400,000~~ \$136,700,000, when
21 the Secretary of the Department concerned finds that schools,
22 if any, available in the locality, are unable to provide ade-
23 quately for the education of such dependents: *Provided*, That
24 under such regulations as may be issued by the Secretary of
25 Defense, such schooling in a school operated by the Depart-

1 ment of Defense under this section may be provided without
2 tuition for minor dependents of civilian and military person-
3 nel of the Department of Defense who died while entitled to
4 compensation or active duty pay: *Provided further*, That
5 where such personnel die subsequent to the date of this Act,
6 such schooling must be continued or commenced within 1 year
7 after the date of death; (b) for expenses in connection with
8 administration of occupied areas; (c) for payment of
9 rewards as authorized for the Navy by section 7209 (a) of
10 title 10, United States Code, for information leading to the
11 discovery of missing naval property or the recovery thereof;
12 (d) for payment of deficiency judgments and interests there-
13 on arising out of condemnation proceedings; (e) for leasing
14 of buildings and facilities including payment of rentals for
15 special purpose space at the seat of government, and in the
16 conduct of field exercises and maneuvers or, in administering
17 the provisions of 43 U.S.C. 315q, rentals may be paid in
18 advance; (f) payments under contracts for maintenance
19 of tools and facilities for twelve months beginning at any
20 time during the fiscal year; (g) maintenance of Defense
21 access roads certified as important to national defense in
22 accordance with section 210 of title 23, United States Code;
23 (h) for the purchase of milk for enlisted personnel of
24 the Department of Defense heretofore made available pur-
25 suant to section 1446a, title 7, United States Code, and the

1 cost of milk so purchased, as determined by the Secretary of
2 Defense, shall be included in the value of the commuted
3 ration; (i) transporting civilian clothing to the home of rec-
4 ord of selective service inductees and recruits on entering the
5 military services; (j) payments under leases for real or per-
6 sonal property for twelve months beginning at any time dur-
7 ing the fiscal year; (k) pay and allowances of not to exceed
8 nine persons, including personnel detailed to International
9 Military Headquarters and Organizations, at rates provided
10 for under section 625 (d) (1) of the Foreign Assistance Act
11 of 1961, as amended; *(l) under regulations approved by the*
12 *Secretary of Defense, for transportation from their homes to*
13 *rest and recuperation centers in the Pacific area and return,*
14 *plus per diem payments of not to exceed \$30 per day for each*
15 *dependent for periods not over two weeks, for dependents of*
16 *military personnel assigned as province or district senior*
17 *advisers in Vietnam on voluntarily extended tours of duty*
18 *totaling not less than 18 months, during periods when such*
19 *military personnel are granted special incentive leaves at such*
20 *rest and recuperation centers.*

21 SEC. 808. Appropriations for the Department of De-
22 fense for the current fiscal year shall be available for:
23 (a) donations of not to exceed \$25 to each prisoner upon
24 each release from confinement in military or contract
25 prison and to each person discharged for fraudulent en-

1 listment; (b) authorized issues of articles to prisoners, appli-
2 cants for enlistment and persons in military custody; (c)
3 subsistence of selective service registrants called for induc-
4 tion, applicants for enlistment, prisoners, civilian employees
5 as authorized by law, and supernumeraries when neces-
6 sitated by emergent military circumstances; (d) reimburse-
7 ment for subsistence of enlisted personnel while sick in
8 hospitals; (e) expenses of prisoners confined in nonmilitary
9 facilities; (f) military courts, boards, and commissions;
10 (g) utility services for buildings erected at private cost, as
11 authorized by law, and buildings on military reservations
12 authorized by regulations to be used for welfare and recrea-
13 tional purposes; (h) exchange fees, and losses in the ac-
14 counts of disbursing officers or agents in accordance with
15 law; (i) expenses of Latin-American cooperation as au-
16 thorized for the Navy by law (10 U.S.C. 7208); and (j)
17 expenses of apprehension and delivery of deserters, prisoners,
18 and members absent without leave, including payment of
19 rewards of not to exceed \$25 in any one case.

20 SEC. 809. Insofar as practicable, the Secretary of De-
21 fense shall assist American small business to participate
22 equitably in the furnishing of commodities and services
23 financed with funds appropriated under this Act by making
24 available or causing to be made available to suppliers in
25 the United States, and particularly to small independent

1 enterprises, information, as far in advance as possible, with
2 respect to purchases proposed to be financed with funds
3 appropriated under this Act, and by making available or
4 causing to be made available to purchasing and contracting
5 agencies of the Department of Defense information as to
6 commodities and services produced and furnished by small
7 independent enterprises in the United States, and by other-
8 wise helping to give small business an opportunity to par-
9 ticipate in the furnishing of commodities and services
10 financed with funds appropriated by this Act.

11 SEC. 810. No appropriation contained in this Act shall
12 be available for expenses of operation of messes (other
13 than organized messes the operating expenses of which
14 are financed principally from nonappropriated funds) at
15 which meals are sold to officers or civilians, except under
16 regulations approved by the Secretary of Defense, which
17 shall (except under unusual or extraordinary circumstances)
18 establish rates for such meals sufficient to provide reimburse-
19 ment of operating expenses and food costs to the appropri-
20 ations concerned: *Provided*, That officers and civilians in a
21 travel status receiving a per diem allowance in lieu of sub-
22 sistence shall be charged at the rate of not less than \$2.50
23 per day: *Provided further*, That for the purposes of this
24 section payments for meals at the rates established here-
25 under may be made in cash or by deduction from the pay

1 of civilian employees: *Provided further*, That members of
2 organized nonprofit youth groups sponsored at either the
3 national or local level, when extended the privilege of visit-
4 ing a military installation and permitted to eat in the general
5 mess by the commanding officer of the installation, shall
6 pay the commuted ration cost of such meal or meals.

7 SEC. 811. No part of any appropriation contained in this
8 Act shall remain available for obligation beyond the current
9 fiscal year unless expressly so provided herein.

10 SEC. 812. Appropriations of the Department of De-
11 fense available for operation and maintenance, may be
12 reimbursed during the current fiscal year for all expenses
13 involved in the preparation for disposal and for the disposal
14 of military supplies, equipment, and materiel, and for all
15 expenses of production of lumber or timber products pur-
16 suant to section 2665 of title 10, United States Code, from
17 amounts received as proceeds from the sale of any such
18 property: *Provided*, That a report of receipts and disburse-
19 ments under this limitation shall be made quarterly to Con-
20 gress: *Provided further*, That no funds available to agencies
21 of the Department of Defense shall be used for the operation,
22 acquisition, or construction of new facilities or equipment
23 for new facilities in the continental limits of the United
24 States for metal scrap baling or shearing or for melting or
25 sweating aluminum scrap unless the Secretary of Defense

1 or an Assistant Secretary of Defense designated by him
2 determines, with respect to each facility involved, that the
3 operation of such facility is in the national interest.

4 SEC. 813. (a) During the current fiscal year, the Presi-
5 dent may exempt appropriations, funds, and contract author-
6 izations, available for military functions under the Depart-
7 ment of Defense, from the provisions of subsection (c) of
8 section 3679 of the Revised Statutes, as amended, whenever
9 he deems such action to be necessary in the interests of na-
10 tional defense.

11 (b) Upon determination by the President that such
12 action is necessary, the Secretary of Defense is authorized to
13 provide for the cost of an airborne alert as an excepted ex-
14 pense in accordance with the provisions of Revised Statutes
15 3732 (41 U.S.C. 11).

16 (c) Upon determination by the President that it is neces-
17 sary to increase the number of military personnel on active
18 duty beyond the number for which funds are provided in this
19 Act, the Secretary of Defense is authorized to provide for the
20 cost of such increased military personnel, as an excepted ex-
21 pense in accordance with the provisions of Revised Statutes
22 3732 (41 U.S.C. 11).

23 (d) The Secretary of Defense shall immediately advise
24 Congress of the exercise of any authority granted in this sec-

1 tion, and shall report monthly on the estimated obligations
2 incurred pursuant to subsections (b) and (c).

3 SEC. 814. No appropriation contained in this Act shall
4 be available in connection with the operation of commis-
5 sary stores of the agencies of the Department of Defense
6 for the cost of purchase (including commercial transportation
7 in the United States to the place of sale but excluding all
8 transportation outside the United States) and maintenance of
9 operating equipment and supplies, and for the actual or esti-
10 mated cost of utilities as may be furnished by the Government
11 and of shrinkage, spoilage, and pilferage of merchandise
12 under the control of such commissary stores, except as author-
13 ized under regulations promulgated by the Secretaries of the
14 military departments concerned, with the approval of the
15 Secretary of Defense, which regulations shall provide for
16 reimbursement therefor to the appropriations concerned and,
17 notwithstanding any other provision of law, shall provide for
18 the adjustment of the sales prices in such commissary stores
19 to the extent necessary to furnish sufficient gross revenue
20 from sales of commissary stores to make such reimbursement:
21 *Provided*, That under such regulations as may be issued pur-
22 suant to this section all utilities may be furnished without cost
23 to the commissary stores outside the continental United
24 States and in Alaska: *Provided further*, That no appropri-

1 ation contained in this Act shall be available in connection
2 with the operation of commissary stores within the continen-
3 tal United States unless the Secretary of Defense has certified
4 that items normally procured from commissary stores are
5 not otherwise available at a reasonable distance and a reason-
6 able price in satisfactory quality and quantity to the military
7 and civilian employees of the Department of Defense.

8 SEC. 815. Notwithstanding any other provision of law,
9 Executive order, or regulation, no part of the appropriations
10 in this Act shall be available for any expenses of operating
11 aircraft under the jurisdiction of the Armed Forces for
12 the purpose of proficiency flying except in accordance with
13 the regulations issued by the Secretaries of the Depart-
14 ments concerned and approved by the Secretary of Defense
15 which shall establish proficiency standards and maximum
16 and minimum flying hours for this purpose: *Provided, That*
17 without regard to any provision of law or Executive order
18 prescribing minimum flight requirements, such regulations
19 may provide for the payment of flight pay at the rates pre-
20 scribed in section 301 of title 37, United States Code, to
21 certain members of the Armed Forces otherwise entitled
22 to receive flight pay during the current fiscal year (1) who
23 have held aeronautical ratings or designations for not less
24 than fifteen years, or (2) whose particular assignment out-

1 side the United States or in Alaska makes it impractical to
2 participate in regular aerial flights, or who have been as-
3 signed to a course of instruction of 90 days or more.

4 SEC. 816. No part of any appropriation contained in this
5 Act shall be available for expense of transportation, packing,
6 crating, temporary storage, drayage, and unpacking of house-
7 hold goods and personal effects in any one shipment having a
8 net weight in excess of thirteen thousand five hundred pounds.

9 SEC. 817. Vessels under the jurisdiction of the Depart-
10 ment of Commerce, the Department of the Army, Depart-
11 ment of the Air Force, or the Department of the Navy
12 may be transferred or otherwise made available without
13 reimbursement to any such agencies upon the request of the
14 head of one agency and the approval of the agency having
15 jurisdiction of the vessels concerned.

16 SEC. 818. None of the funds provided in this Act shall
17 be available for training in any legal profession nor for the
18 payment of tuition for training in such profession: *Provided*,
19 That this limitation shall not apply to the off-duty training
20 of military personnel as prescribed by section 822 of this Act.

21 SEC. 819. Not more than 20 per centum of the ap-
22 propriations in this Act which are limited for obligation
23 during the current fiscal year shall be obligated during the
24 last two months of the fiscal year: *Provided*, That this sec-

1 tion shall not apply to obligations for support of active duty
2 training of civilian components or summer-camp training of
3 the Reserve Officers' Training Corps.

4 SEC. 820. During the current fiscal year the agencies
5 of the Department of Defense may accept the use of real
6 property from foreign countries for the United States in
7 accordance with mutual defense agreements or occupational
8 arrangements and may accept services furnished by for-
9 eign countries as reciprocal international courtesies or as
10 services customarily made available without charge; and
11 such agencies may use the same for the support of the United
12 States forces in such areas without specific appropriation
13 therefor.

14 In addition to the foregoing, agencies of the Department
15 of Defense may accept real property, services, and commodi-
16 ties from foreign countries for the use of the United States in
17 accordance with mutual defense agreements or occupational
18 arrangements and such agencies may use the same for the
19 support of the United States forces in such areas, without
20 specific appropriations therefor: *Provided*, That within thirty
21 days after the end of each quarter the Secretary of Defense
22 shall render to Congress and to the Office of Management and
23 Budget a full report of such property, supplies, and com-
24 modities received during such quarter.

25 SEC. 821. During the current fiscal year, appropria-

1 tions available to the Department of Defense for research
2 and development may be used for the purposes of section
3 2353 of title 10, United States Code, and for purposes related
4 to research and development for which expenditures are
5 specifically authorized in other appropriations of the service
6 concerned.

7 SEC. 822. No appropriation contained in this Act shall
8 be available for the payment of more than 75 per centum
9 of charges of educational institutions for tuition or expenses
10 for off-duty training of military personnel, nor for the pay-
11 ment of any part of tuition or expenses for such training for
12 commissioned personnel who do not agree to remain on
13 active duty for two years after completion of such training.

14 SEC. 823. No part of the funds appropriated herein
15 shall be expended for the support of any formally enrolled
16 student in basic courses of the senior division, Reserve
17 Officers' Training Corps, who has not executed a certificate of
18 loyalty or loyalty oath in such form as shall be prescribed by
19 the Secretary of Defense.

20 SEC. 824. No part of any appropriation contained in
21 this Act shall be available for the procurement of any ar-
22 ticle of food, clothing, cotton, woven silk or woven silk blends,
23 spun silk yarn for cartridge cloth, synthetic fabric or coated
24 synthetic fabric, or wool (whether in the form of fiber or
25 yarn or contained in fabrics, materials, or manufactured ar-

1 ties) not grown, reprocessed, reused, or produced in the
2 United States or its possessions, except to the extent that the
3 Secretary of the Department concerned shall determine
4 that a satisfactory quality and sufficient quantity of any ar-
5 ticles of food or clothing or any form of cotton, woven silk
6 and woven silk blends, spun silk yarn for cartridge cloth, syn-
7 thetic fabric or coated synthetic fabric, or wool grown, re-
8 processed, reused, or produced in the United States or its
9 possessions cannot be procured as and when needed at
10 United States market prices and except procurements outside
11 the United States in support of combat operations, procure-
12 ments by vessels in foreign waters and emergency procure-
13 ments or procurements of perishable foods by establishments
14 located outside the United States for the personnel attached
15 thereto: *Provided*, That nothing herein shall preclude the
16 procurement of foods manufactured or processed in the
17 United States or its possessions: *Provided further*, That no
18 funds herein appropriated shall be used for the payment of
19 a price differential on contracts hereafter made for the purpose
20 of relieving economic dislocations: *Provided further*, That
21 none of the funds appropriated in this Act shall be used ex-
22 cept that, so far as practicable, all contracts shall be awarded
23 on a formally advertised competitive bid basis to the lowest
24 responsible bidder.

25 SEC. 825. None of the funds appropriated in this Act

1 shall be used for the construction, replacement, or reacti-
2 vation of any bakery, laundry, or dry-cleaning facility in the
3 United States, its territories or possessions, as to which the
4 Secretary of Defense does not certify in writing, giving his
5 reasons therefor, that the services to be furnished by such
6 facilities are not obtainable from commercial sources at rea-
7 sonable rates.

8 SEC. 826. During the current fiscal year, appropria-
9 tions of the Department of Defense shall be available for
10 reimbursement to the Post Office Department for payment
11 of costs of commercial air transportation of military mail be-
12 tween the United States and foreign countries.

13 SEC. 827. Appropriations contained in this Act shall
14 be available for the purchase of household furnishings,
15 and automobiles from military and civilian personnel on duty
16 outside the continental United States, for the purpose of re-
17 sale at cost to incoming personnel, and for providing furnish-
18 ings, without charge, in other than public quarters occupied
19 by military or civilian personnel of the Department of De-
20 fense on duty outside the continental United States or in
21 Alaska, upon a determination, under regulations approved
22 by the Secretary of Defense, that such action is advantageous
23 to the Government.

24 SEC. 828. During the current fiscal year, appropria-
25 tions available to the Department of Defense for pay of

1 civilian employees shall be available for uniforms, or allow-
2 ances therefor, as authorized by law (5 U.S.C. 5901; 80
3 Stat. 508).

4 SEC. 829. During the current fiscal year, the Secretary
5 of Defense shall, upon requisition of the National Board for
6 the Promotion of Rifle Practice, and without reimbursement,
7 transfer from agencies of the Department of Defense to the
8 Board ammunition from stock or which has been procured
9 for the purpose in such amounts as he may determine.

10 Such appropriations of the Department of Defense avail-
11 able for obligation during the current fiscal year as may be
12 designated by the Secretary of Defense shall be available
13 for the travel expenses of military and naval personnel, in-
14 cluding the reserve components, and members of the Reserve
15 Officers' Training Corps attending regional, national, or in-
16 ternational rifle matches.

17 SEC. 830. Funds provided in this Act for congressional
18 liaison activities of the Department of the Army, the Depart-
19 ment of the Navy, the Department of the Air Force, and the
20 Office of the Secretary of Defense shall not exceed \$1,150,-
21 000: *Provided*, That this amount shall be available for ap-
22 portionment to the Department of the Army, the Department
23 of the Navy, the Department of the Air Force, and the
24 Office of the Secretary of Defense as determined by the
25 Secretary of Defense.

1 for the services of the Military Airlift Command, \$100,-
2 000,000 shall be available only for procurement of com-
3 mercial transportation service from carriers participating
4 in the civil reserve air fleet program; and the Secretary of
5 Defense shall utilize the services of such carriers which qualify
6 as small businesses to the fullest extent found practicable:
7 *Provided*, That the Secretary of Defense shall specify in such
8 procurement, performance characteristics for aircraft to be
9 used based upon modern aircraft operated by the civil air fleet.

10 SEC. 832. Not less than \$5,500,000 of the funds made
11 available in this Act for travel expenses in connection with
12 temporary duty and permanent change of station of civilian
13 and military personnel of the Department of Defense shall
14 be available only for the procurement of commercial passen-
15 ger sea transportation services on American-flag vessels.

16 SEC. 833. During the current fiscal year, appropria-
17 tions available to the Department of Defense for opera-
18 tion may be used for civilian clothing, not to exceed \$40 in
19 cost for enlisted personnel: (1) discharged for misconduct,
20 unfitness, unsuitability, or otherwise than honorably; (2)
21 sentenced by a civil court to confinement in a civil prison or
22 interned or discharged as an alien enemy; (3) discharged
23 prior to completion of recruit training under honorable con-
24 ditions for dependency, hardship, minority, disability, or for
25 the convenience of the Government.

1 SEC. 834. No part of the funds appropriated herein
2 shall be available for paying the costs of advertising by
3 any defense contractor, except advertising for which pay-
4 ment is made from profits, and such advertising shall not be
5 considered a part of any defense contract cost. The prohibi-
6 tion contained in this section shall not apply with respect to
7 advertising conducted by any such contractor, in compliance
8 with regulations which shall be promulgated by the Secretary
9 of Defense, solely for (1) the recruitment by that contractor
10 of personnel required for the performance by the contractor of
11 obligations under a defense contract, (2) the procurement of
12 scarce items required by the contractor for the performance of
13 a defense contract, or (3) the disposal of scrap or surplus
14 materials acquired by the contractor in the performance of a
15 defense contract.

16 SEC. 835. Funds appropriated in this Act for main-
17 tenance and repair of facilities and installations shall not
18 be available for acquisition of new facilities, or alteration,
19 expansion, extension, or addition of existing facilities, as de-
20 fined in Department of Defense Directive 7040.2, dated Jan-
21 uary 18, 1961, in excess of \$25,000: *Provided*, That the
22 Secretary of Defense may amend or change the said directive
23 during the current fiscal year, consistent with the purpose of
24 this section.

25 SEC. 836. ~~During the current fiscal year, the Secre-~~

1 tary of Defense may, if he deems it vital to the security
2 of the United States and in the national interest to further
3 improve the readiness of the Armed Forces, including the
4 reserve components, transfer under the authority and terms
5 of the Emergency Fund an additional \$300,000,000: *Pro-*
6 *vided*, That the transfer authority made available under the
7 terms of the Emergency Fund appropriation contained in this
8 Act is hereby broadened to meet the requirements of this
9 section: *Provided further*, That the Secretary of Defense
10 shall notify Congress promptly of all transfers made pursuant
11 to this authority.

12 *SEC. 836. Upon determination by the Secretary of De-*
13 *fense that such action is necessary in the national interest, he*
14 *may, with the approval of the Office of Management and*
15 *Budget, transfer not to exceed \$700,000,000 of the appro-*
16 *priations contained in this Act between such appropriations:*
17 *Provided, That the Secretary of Defense shall notify the Con-*
18 *gress promptly of all transfers made pursuant to this*
19 *authority.*

20 *SEC. 837. None of the funds appropriated in this Act*
21 *may be used to make payments under contracts for any*
22 *program, project, or activity in a foreign country unless*
23 *the Secretary of Defense or his designee, after consultation*
24 *with the Secretary of the Treasury or his designee, certifies*
25 *to the Congress that the use, by purchase from the Treasury,*

1 of currencies of such country acquired pursuant to law is
2 not feasible for the purpose, stating the reason therefor.

3 SEC. 838. (a) ~~Appropriations~~ *Not to exceed \$2,500,-*
4 *000,000 of the appropriations* available to the Depart-
5 ment of Defense during the current fiscal year shall be avail-
6 able for their stated purposes to support: (1) Vietnamese
7 and other free world forces in support of Vietnamese forces;
8 (2) local forces in Laos and Thailand; and for related costs,
9 on such terms and conditions as the Secretary of Defense may
10 determine: *Provided, That none of the funds appropriated*
11 *by this Act may be used for the purpose of paying any over-*
12 *seas allowance, per diem allowance, or any other addition to*
13 *the regular base pay of any person serving with the free*
14 *world forces in South Vietnam if the amount of such pay-*
15 *ment would be greater than the amount of special pay author-*
16 *ized to be paid, for an equivalent period of service, to mem-*
17 *bers of the Armed Forces of the United States under section*
18 *310 of title 37, United States Code) serving in Vietnam or*
19 *in any other hostile fire area, except for continuation of pay-*
20 *ments of such additions to regular base pay provided in agree-*
21 *ments executed prior to July 1, 1970: Provided further,*
22 *That nothing in clause (1) of the first sentence of this sub-*
23 *section shall be construed as authorizing the use of any such*
24 *funds to support Vietnamese or other free world forces in*

1 *actions designed to provide military support and assistance*
2 *to the Government of Cambodia or Laos.*

3 (b) Within thirty days after the end of each quarter,
4 the Secretary of Defense shall render to Congress a report
5 with respect to the estimated value by purpose, by country,
6 of support furnished from such appropriations.

7 SEC. 839. During the current fiscal year, cash balances
8 in working capital funds of the Department of Defense
9 established pursuant to section 2208 of title 10, United
10 States Code, may be maintained in only such amounts as
11 are necessary at any time for cash disbursements to be made
12 from such funds: *Provided*, That transfers may be made
13 between such funds in such amounts as may be determined
14 by the Secretary of Defense, with the approval of the Office
15 of Management and Budget.

16 SEC. 840. No part of the funds appropriated under
17 this Act shall be used to pay salaries of any Federal em-
18 ployee who is convicted in any Federal, State, or local court
19 of competent jurisdiction, of inciting, promoting, or carrying
20 on a riot, or any group activity resulting in material damage
21 to property or injury to persons, found to be in violation of
22 Federal, State, or local laws designed to protect persons
23 or property in the community concerned.

24 SEC. 841. No part of the funds appropriated under this

1 Act shall be used to provide a loan, guarantee of a loan or
2 a grant to any applicant who has been convicted by any
3 court of general jurisdiction of any crime which involves
4 the use of or the assistance to others in the use of force,
5 trespass or the seizure of property under control of an institu-
6 tion of higher education to prevent officials or students at
7 such an institution from engaging in their duties or pursuing
8 their studies.

9 ~~SEC. 842. Appropriations heretofore made available for~~
10 ~~Procurement of Equipment and Missiles, Army; Procure-~~
11 ~~ment of Aircraft and Missiles, Navy; Other Procurement,~~
12 ~~Navy; Procurement, Marine Corps; Aircraft Procurement,~~
13 ~~Air Force; Missile Procurement, Air Force; Other Pro-~~
14 ~~curement, Air Force; Procurement, Defense Agencies;~~
15 ~~and Special Foreign Currency Program shall not be~~
16 ~~available for obligation after June 30, 1973. Appro-~~
17 ~~priations heretofore made available for Shipbuilding and~~
18 ~~Conversion, Navy, shall not be available for obligation after~~
19 ~~June 30, 1975. Appropriations heretofore made available~~
20 ~~under the headings Research, Development, Test, and Evalu-~~
21 ~~ation, Army; Research, Development, Test, and Evaluation,~~
22 ~~Navy; Research, Development, Test, and Evaluation, Air~~
23 ~~Force; and Research, Development, Test, and Evaluation,~~
24 ~~Defense Agencies shall not be available for obligation after~~
25 ~~June 30, 1972.~~

1 *SEC. 842. (a) Amounts, as determined by the Secre-*
2 *tary of Defense and approved by the Office of Management*
3 *and Budget, of any appropriations of the Department of*
4 *Defense available for procurement (except Shipbuilding and*
5 *Conversion, Navy) which (1) will remain unobligated as of*
6 *the close of any fiscal year for which estimates are submitted*
7 *and (2) which have been available for obligation for three or*
8 *more fiscal years, shall be withdrawn and shall revert to the*
9 *general fund of Treasury.*

10 *(b) Amounts, as determined by the Secretary of Defense*
11 *and approved by the Office of Management and Budget, of*
12 *any appropriations of the Department of Defense available*
13 *for Shipbuilding and Conversion, Navy which (1) will re-*
14 *main unobligated as of the close of any fiscal year for which*
15 *estimates are submitted and (2) which have been available for*
16 *obligation for five or more fiscal years, shall be withdrawn*
17 *and shall revert to the general fund of the Treasury.*

18 *(c) Amounts, as determined by the Secretary of Defense*
19 *and approved by the Office of Management and Budget,*
20 *of any appropriations of the Department of Defense avail-*
21 *able for research, development, test and evaluation (except*
22 *Emergency Fund, Defense) which (1) will remain unobli-*
23 *gated as of the close of any fiscal year for which estimates are*
24 *submitted and (2) which have been available for obligation*

1 *for two or more fiscal years, shall be withdrawn and shall*
2 *revert to the general fund of Treasury.*

3 *(d) The Comptroller General of the United States shall*
4 *examine the internal system upon which the determinations*
5 *required by this section are based and shall submit to the Con-*
6 *gress, prior to April 1, 1971, a report as to the adequacy of*
7 *such internal system.*

8 *(e) Section 642 of the Department of Defense Appro-*
9 *priation, 1970 (Public Law 91-171, approved Decem-*
10 *ber 29, 1969), is hereby repealed.*

11 SEC. 843. In line with the expressed intention of the
12 President of the United States, none of the funds appro-
13 priated by this Act shall be used to finance the introduction
14 of American ground combat troops into Laos ~~or~~, Thailand
15 or Cambodia.

16 SEC. 844. None of the funds appropriated in this Act
17 shall be available for the purposes ~~which would be author-~~
18 ~~ized by section 610 of the Military Construction Authoriza-~~
19 ~~tion Act, 1971, as passed by the Senate authorized by section~~
20 *610, Public Law 91-511, approved October 26, 1970.*

21 SEC. 845. No part of the funds appropriated in this
22 Act may be used to carry out any research project or study
23 unless such project or study has a direct and apparent
24 relationship to a specific military function or operation.

1 *SEC. 846. After June 15, 1971, no part of the funds in*
2 *this Act shall be available to support in excess of 138,000*
3 *personnel of the Department of Defense (military and ci-*
4 *vilian) assigned to activities managed under the Intelligence*
5 *and Security Program of the Department of Defense.*

6 This Act may be cited as the "Department of Defense
7 Appropriation Act, 1971."

Passed the House of Representatives October 8, 1970.

Attest:

W. PAT JENNINGS,

Clerk.

Calendar No. 1406

91ST CONGRESS
2^D SESSION

H. R. 19590

[Report No. 91-1392]

AN ACT

Making appropriations for the Department of
Defense for the fiscal year ending June 30,
1971, and for other purposes.

OCTOBER 9, 1970

Read twice and referred to the Committee on
Appropriations

DECEMBER 3, 1970

Reported with amendments